

PROPOSED RULE AMENDMENTS

Public Hearing:

August 10, 2016 – 10:30 am

Full Commission Vote:

August 12, 2016 – 9:00 am

**Wake Technical Community College
Public Safety Training Center
321 Chapanoke Rd.
Raleigh, NC 27603**

Instructions for Oral and Written Comments: The objection, reasons for the objection, and the clearly identified portion of the rule to which the objection pertains, must be submitted in writing to:

Trevor Allen
Department of Justice
Criminal Justice Standards Division
PO Drawer 149
Raleigh, NC 27602

Title: Law Enforcement Mandated In-Service Training
Agency: Department of Justice, Criminal Justice Standards Division
Contact: Trevor Allen (919) 779-8205
Impact Summary: State Government: No
Local Government: No (minimal)
Substantial Impact: No
Small Business: No

12 NCAC 09E .0105: Minimum Training Specifications: Annual In-Service Training

- ☐ **Statutory authority for the rule change:** G.S. 17C-6; 17C-10
- ☐ **Amendment:** The Criminal Justice Education and Training Standards Commission proposed amendments to this rule in order to update the training topics and associated hours for the 2017 calendar year.
- ☐ **State Impact:** None
- ☐ **Local Government Impact:** None
- ☐ **Substantial Economic Impact:** No
- ☐ **Small Business Impact:** No

Rule begins on the following page:

12 NCAC 09E .0105 is proposed for amendment as follows:

12 NCAC 09E .0105 MINIMUM TRAINING SPECIFICATIONS: ANNUAL IN-SERVICE TRAINING

(a) The following topical areas and specifications are established as topics, specifications, and hours to be included in each law enforcement officer's annual in-service training courses. For the purposes of this Subchapter, a credit shall be equal to one hour of traditional classroom instruction. These specifications shall be incorporated in each law enforcement agency's annual in-service training courses:

- (1) ~~2016~~ 2017 Firearms Training and Qualification (6 credits);
- (2) ~~2016~~ 2017 Legal Update (4 credits);
- (3) ~~2016~~ 2017 ~~Juvenile Minority Sensitivity Training: The Color of Justice~~ Positively Impacting Today's Youth (2 credits);
- (4) ~~Human Trafficking Awareness~~ 2017 Domestic Violence: Protecting Victims of Domestic Violence (~~2 credits~~); (4 credits);
- (5) ~~North Carolina Firearms Laws: Citizens and Guns (minimum of 2 credits)~~; 2017 Improving Decision-Making Skills (4 credits); and
- (6) ~~2016~~ 2017 Department Topics of Choice (10 credits). The Department Head may choose any topic, provided the lesson plan is written in Instructional Systems Design format and is taught by an instructor who is certified by the Commission. Topics delivered pursuant to Rule .0104(1) of this Subchapter to satisfy this requirement are not required to be written in Instructional Systems Design format or delivered by an instructor certified by the Commission.

(b) The "Specialized Firearms Instructor Training Manual" published by the North Carolina Justice Academy shall be applied as a guide for conducting the annual in-service firearms training program. Copies of this publication may be inspected at the office of the:

Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tryon Park Drive
Raleigh, North Carolina 27610

and may be obtained at the cost of printing and postage from the Academy at the following address:

North Carolina Justice Academy
Post Office Drawer 99
Salemberg, North Carolina 28385

(c) The "In-Service Lesson Plans" published by the North Carolina Justice Academy shall be applied as a minimum curriculum for conducting the annual in-service training program. Copies of this publication may be inspected at the office of the:

Criminal Justice Standards Division
North Carolina Department of Justice

1700 Tryon Park Drive
Raleigh, North Carolina 27610

and may be obtained at the cost of printing and postage from the Academy at the following address:

North Carolina Justice Academy
Post Office Drawer 99
Salemberg, North Carolina 28385

(d) Lesson plans are designed to be delivered in hourly increments. A student who completes an online in-service training topic shall receive the number of credits that correspond to the number of hours of traditional classroom training, regardless of the amount of time the student spends completing the course.

(e) Completion of training shall be demonstrated by passing a written test for each in-service training topic, as follows:

- (1) A written test comprised of at least five questions per credit shall be developed by the agency or the North Carolina Justice Academy for each in-service training topic requiring testing. Written courses that are more than four credits in length are required to have a written test comprising of a minimum of 20 questions. The Firearms Training and Qualifications in-service course and topics delivered pursuant to Rule .0104(1) of this Subchapter ~~is~~ are exempt from this written test requirement;
- (2) A student shall pass each test by achieving 70 percent correct answers; and
- (3) A student who completes a topic of in-service training in a traditional classroom setting or online and fails the end of topic exam shall be given one attempt to re-test. If the student fails the exam a second time, the student shall complete the in-service training topic in a traditional classroom setting before taking the exam a third time.

History Note: Authority G.S. 17C-6; 17C-10;
Eff. July 1, 1989;
Amended Eff. January 1, 2005; November 1, 1998;
Temporary Amendment Eff. January 1, 2005;
Amended Eff. January 1, 2016; January 1, 2015; February 1, 2014; June 1, 2012; February 1, 2011; January 1, 2010; April 1, 2009; April 1, 2008; February 1, 2007; January 1, 2006.